



U.S. Army Contracting Agency

Army Contracting Agency (ACA) Southern Region

Small Business Size Regulation Change

**Presented by Antwinette Goodman-
Cooper**

**Deputy Associate Director
Small Business Program**

Southern Region



Small Business Size Regulation Made Final

- **SBA has issued a Final Rule on When a Company Has to Re-Certify Their Company's Business Size**
- **Proposed rule was published in the Federal Register**
 - April 25, 2003
 - Amend 13 CFR 121.404
 - Received over 600 Comments during the Open Comment Period which closed on June 24, 2003
- **Final Rule was Published in the Federal Register**
 - Vol. 71, No. 220, Dated: November 15, 2006
 - Effective Date: June 30, 2007



What Changed

Current Way of Doing Business...

- Agencies Solicit, Evaluate, and Make Award of a 15-Year Contract
- Size of the Company Changes From Small to Large During the First 5 Years (Base) of the 15 Year Contract
- Option I (Years 6-10) is Exercised
- **Company Does Not Have to Do Anything**
 - ✓ For Contract Purposes, the Company Remains Certified as a Small Business for the Life of the Contract.
 - ✓ Even though the Company is Now Large, Graduated From a Program, etc.
- **Awarding Agency Still Gets Small Business Credit Towards Satisfying Its Small Business Goals**



What Changed

...New Way of Doing Business

- Agencies Solicit, Evaluate, and Make Award of a 15-Year Contract**
- Size of the Company Changes From Small to Large During the First 5 Years (Base) of a 15 Year Contract**
- Option I (Years 6-10) is Exercised**

Company Must Now Re-Certify as a Large Business and the Government Can No Longer Use the Dollars Obligated Towards Satisfying Its Small Business Goals



What Contracts Are Affected

LONG TERM CONTRACTS

- **GSA's Multiple Award Schedule (MAS) Contracts**
 - **Federal Supply Schedules (FSS)**
 - **Multiple Award Schedules Awarded by Other Agencies Under the Authority Granted By GSA**
- **Other Long Term Contracts (Greater Than 5-Yrs)**
 - **Government-Wide Acquisition Contracts (GWACs)**
 - **Multi-Agency Contracts**

“ALL OF THE ABOVE TEND TO RUN 10 TO 20 YEARS”



What Does This Mean to Industry

- **Contractors That Desire to Remain Small Must Be Selective of the Opportunities They Pursue**
- **Contractors Must Ensure Central Contractor Registration (CCR) and Online Representations and Certifications (ORCA) Information is Current and Accurate**



What Does This Mean to Government

- **Agencies Must Carefully Study the Impact of Awarding an Order Against a Long Term Contract**
 - i.e., What Impact the Award will have on Its Small Business Goals
- **Agencies Must Aggressively Pursue Opportunities For Inclusion Under the Various Socio-Economic Programs**



Point of Contact @ SBA

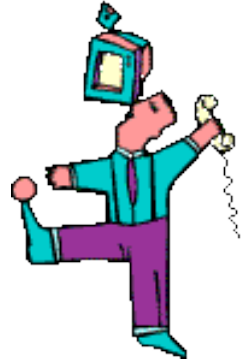
- **Dean Koppel, Assistant Administrator**
- **Office of Policy and Research, Office of Government Contracting**
- **Phone (202) 205-7322**
- **E-mail: dean.koppel@sba.gov**



Antwinette Goodman-Cooper

**Deputy Assoc. Director,
SADBU**

ACA Southern Region HQ



- **Phone (404) 464-1394**
- **FAX (404) 464-3708**
- **E-mail:**

antwinette.goodman@fors.com.army.mil



QUESTIONS???

